

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AUTO-OWNERS INSURANCE)
CO.,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO.
) 2:06cv123-MHT
JACK J. RUSCH, et al.,)
)
 Defendants.)

ORDER

Based on the representations made during the on-the-record oral argument held on April 19, 2006, it is ORDERED as follows:

(1) Plaintiff Auto-Owners Insurance Co. and defendant Barbour County Historical Preservation Authority agree and stipulate that defendant Barbour County Historical Preservation Authority will be bound by this court's determination as to defendant Jack J. Rusch's insurance coverage.

(2) Based on this stipulation, defendant Barbour County Historical Preservation Authority is dismissed from this lawsuit.

(3) Defendant Barbour County Historical Preservation Authority's motion to dismiss (Doc. No. 6) is denied as moot.

DONE, this the 19th day of April, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE